



To the Honorable Council
City of Norfolk, Virginia

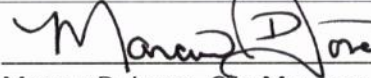
December 15, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: Amend *plaNorfolk2030* from Industrial to Multi-Family, to amend the *Zoning Ordinance* to create the Tidewater Drive Residential Planned Development (PD-R Tidewater Drive) district and to change the zoning from I-1 (Limited Industrial) district to PD-R Tidewater Drive district on property located at 6435 Tidewater Drive – **The Franklin Johnston Group**

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved: 
Marcus D. Jones, City Manager

Item Number:

PH-9

- I. **Staff Recommendation:** Denial of all three requests.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Denial**.
- III. **Requests:** The three requests, if approved, would allow the applicant to redevelop the site within a new Planned Development zoning district for the purpose of constructing 128 multi-family units within four 4-story walkup buildings, to be built using the federal Low-Income Housing Tax Credit (LIHTC) program administered through the Virginia Housing Development Authority (VHDA).
- IV. **Applicant:** The Franklin Johnston Group
- V. **Description:**
 - Access to this site, particularly pedestrian access between the site and Tidewater Drive, is less than ideal, which presents a possible danger for pedestrians needing to have safe and direct access to public transportation and daily shopping needs.
 - Although, the proposed development may diversify affordable housing options, the site does not meet all of the minimum requirements of *plaNorfolk2030* for new multi-family development, particularly in regards to the pedestrian access needs often associated with a population that may already have limited transportation options.
 - “The purpose of planned developments is to encourage the efficient use of land and resources, to promote greater efficiency in public and utility services, and to encourage innovation in the planning, design and building of all types of development in the city” [Zoning Ord. sec. 27-1].
 - The development as proposed does not accomplish the purpose statement for Planned Developments identified within the *Zoning Ordinance*.

Staff point of contact: Matthew Simons at 664-4750, matthew.simons@norfolk.gov

Attachments:

- Staff Report to CPC dated October 22, 2015 with attachments
- Letters of opposition
- Proponents and Opponents
- Ordinances

Planning Commission Public Hearing: October 22, 2015

Executive Secretary: George M. Homewood, AICP, CFM

Planner: Matthew Simons, CFM

Staff Report	Item No. C - 2	
Address	6435 Tidewater Drive	
Applicant	The Franklin Johnston Group	
Request	a. Amend Future Land Use Map within <i>plaNorfolk2030</i>	Industrial to Multi-Family
	b. Zoning Text Amendment	To create the Tidewater Drive Residential Planned Development (PD-R Tidewater Drive) district
	c. Change of Zoning	I-1 (Limited Industrial) to PD-R Tidewater Drive
Property Owner	Tidewater Drive Properties, LLP	
Site Characteristics	Site Area	6.1 acres
	Zoning	I-1
	Neighborhood	Roland Park
	Character District	Traditional
Surrounding Area	North	I-3 (General Industrial): VA Dominion Power substation
	East	C-2 (Corridor Commercial): Wine and Cake Hobbies
	South	I-1: Eggleston Services
	West	R-7 (Single-Family): Northern Branch of Lafayette River and homes



"The purpose of planned developments is to encourage the efficient use of land and resources, to promote greater efficiency in public and utility services, and to encourage innovation in the planning, design and building of all types of development in the city" [Zoning Ord. sec. 27-1].

A. Summary of Request

This request would allow the applicant to redevelop the site within a new Planned Development zoning district for the purpose of constructing a 128-unit apartment complex, to be built using the federal Low-Income Housing Tax Credit (LIHTC) program administered through the Virginia Housing Development Authority (VHDA).

B. Existing Conditions

Existing Conditions

- The Tidewater Drive Residential Planned Development (PD-R Tidewater Drive) proposes a total of 128 units on 6.1 acres of land located at the northern terminus of an access road along the Tidewater Drive and Norfolk Southern right-of-way interchange.
- The site is also located along a portion of the Lafayette River, adjacent to one of the tidal tributaries of Wayne Creek.
- The site is currently zoned Industrial (I-1) which permits a range of wholesale, warehousing, distribution, light repair and service, storage, and limited assembly activities.
- The adjacent properties to the north and south are also zoned Industrial (I-3 and I-1, respectively), and both properties are currently used for industrial land uses;
 - The property to the north is developed as an electricity substation operated by Virginia Dominion Power.
 - The property to the south is used by Eggleston Services for various light industrial support services.
- Directly to the east of the site is an active Norfolk Southern rail line, with commercial uses and zoning (C-2) backing up to the rail line on the opposite of the tracks.

C. Plan Consistency

Plan Analysis – *plaNorfolk2030* Map Amendment

- *plaNorfolk2030* designates this site as Industrial, making the proposed use inconsistent with the Future Land Use Map within *plaNorfolk2030* [Map LU-1].
 - An amendment of the map to Multi-Family is necessary for the proposed use to be consistent with *plaNorfolk2030*.
- The Identifying Land Use Strategies chapter of *plaNorfolk2030* identifies the Multi-Family land use category as a location for townhome, apartment, or condominium complexes with designated parking areas and common open space.
 - It recommends ensuring that new multi-family housing is designed to meet development criteria including building height, placement, and massing that is consistent with surrounding development, and appropriately sized and located open space, parking, landscaping, buffers, access points, and sidewalks [Action LU1.1.8].

- It further recommends supporting amendments to Multi-Family where the site is located within close proximity to an arterial road or transit corridor, where the site is already developed with multi-family or adjacent to higher intensity development, and where the site can accommodate the required open space, parking, buffering, and stormwater facilities [Action LU1.1.7].
 - The development as proposed on this site meets some of the criteria set forth in *plaNorfolk2030* for considering an amendment to a Multi-Family designation by being located in close proximity to the following:
 - Close proximity to an arterial roadway and transit corridor (Tidewater Drive),
 - Accommodating the required open space, parking, buffering and stormwater facilities.
 - However, the site does not meet all of the criteria within *plaNorfolk2030* for considering appropriate amendments to the Multi-Family land use category.
 - The site is not already developed with multi-family but instead with an industrial building constructed in 1956.
 - The site is not adjacent to higher density development; it is surrounded by industrial and commercial land uses.
- The proposal for 128 dwellings units on 6.1 acres of land (24.6 units per acre) is the equivalent density of what would otherwise be permitted with the R-14 (High Density Multi-Family) zoning district.
 - Although the proposal is much denser than the surrounding community, as a means of providing a variety of housing types, the *plaNorfolk2030* calls for consideration of the use of density bonuses as a means of promoting the production of affordable housing to meet current and future demand [Action HC2.2.2].
 - Since the development proposal is a Low Income Housing Tax Credit (LIHTC) project, the increase in density is supported by Action HC2.2.2 of the plan.
 - The LIHTC development as proposed may also promote multiple actions within *plaNorfolk2030* by preventing concentrations of poverty, while ensuring affordable housing is located in proximity to employment centers, service centers, and public transit [Actions N2.4.2 and HC2.2.3].
- The adjacent railroad tracks and the Tidewater Drive access ramps present a barrier for direct pedestrian access to Tidewater Drive.
- Access to this site, particularly pedestrian access between the site and Tidewater Drive, is less than ideal, which presents a possible danger for pedestrians needing to have safe and direct access to public transportation and daily shopping needs.
- Although, the proposed development may diversify affordable housing options, the site does not meet all of the minimum requirements of *plaNorfolk2030* for new multi-family development, particularly in regards to the pedestrian access needs often associated with a population that may already have limited transportation options.

D. Zoning Analysis

i. Zoning Text Amendment

- The request is to create the Tidewater Drive Residential Planned Development (PD-R Tidewater Drive) zoning district.
- The text, in addition to the conceptual site plan and building elevations, establishes the development standards within this Planned Development.
- The PD-R Tidewater Drive district proposes:
 - 128 multi-family units within four 4-story walkup buildings.
 - The text limits the scope of the project to the conceptual site plan and building elevations.
 - The development proposes to construct four 4-story residential buildings and a centralized parking court in the middle serving all of the units.
 - A clubhouse is proposed to include a fitness center and a swimming pool.
 - A walking path is proposed to be located adjacent to the wetland area behind two of the residential buildings.
 - A playground tot lot is also proposed to the west of the site near the walking trail.
 - The text also limits certain development standards like the maximum allowed height and minimum required usable open space and provides for additional off-street parking slightly above the required minimum ratio.
 - The text states that the development of the site will have to comply with the City's Site Plan Review, including the City's landscape provisions.
 - A requirement for off-site pedestrian connections is included within the proposed zoning text in order to provide direct sidewalk access from the site to Tidewater Drive; providing connections both north and southbound along Tidewater Drive.
 - The text includes a provision that all buildings constructed in the district must be reviewed and approved in accordance with the city's Design Review process prior to the issuance of any building permit.

ii. Change of Zoning

- The purpose of planned developments is to encourage the efficient use of land and resources, to promote greater efficiency in public and utility services, and to encourage innovation in the planning, design and building of all types of development in the city.
 - Since the site consists of less than 100 feet of property frontage along a public right-of-way, the traditional adoption of a multi-family residential zoning district would not accommodate a functional apartment complex development.
 - The proposal to adopt a new Planned Development zoning district on the site as presented does not introduce planning and design innovation as outlined in the purpose statement for Planned Development zoning districts.
 - Furthermore, the building types as proposed does not represent a unique archetype which is an additional stated purpose for Planned Development districts.
- The development as proposed does not accomplish the purpose statement for Planned Developments identified within the *Zoning Ordinance*.

- The proposal presents a development that essentially is seeking a variance from the R-14 development standards by being presented as an appropriate site for Planned Development but within a suburban apartment complex layout.
- Additionally, the existing I-1 (Limited Industrial) zoning upon the site does not represent an unreasonable zoning designation given the surrounding context of the site.
 - The adjacent zoning and land uses present to the site do not have adverse impacts affecting the continued use and viability of the site for limited industrial uses.
 - The site is large enough to accommodate a range of limited industrial uses without having adverse impacts on the surrounding uses or impacts upon the limited residential exposure to the southwest of the site.
 - There has not been a change in the character of the area since the original Industrial zoning was adopted that renders the existing zoning obsolete or inappropriate.
- The City of Norfolk has worked diligently to diversify economic opportunities for our citizens, maintaining property that can support industrial uses is a part of that effort.
- Industrial land is a scarce resource.
 - Once lost, industrial land with strategic advantages present cannot be easily recovered.
 - Industrial markets are long-term, just as the City's planning horizons are long-term.

iii. Parking

Automobile Parking

- The site is located in the Traditional Character District, which requires 1.6 off-street parking spaces per unit.
- The proposal conforms to the required parking by providing no less than 1.7 off-street parking spaces per unit.

Bicycle Parking

- Bicycle parking will be provided throughout the development at a rate of 1 space per 5 dwelling units.
- The proposal conforms to the required bicycle parking provisions for residential development within the Traditional Character District.
 - At least 75% of the required bike parking (19 spaces) shall be long-term; weather-resistant and secured.
 - No more than 25% (6 spaces) shall be short-term bike spaces; outdoor racks.

iv. Flood Zone

- The property is located in the X, X (Shaded), and AE Flood Zones.
- The portion of the property in the AE Flood Zone has a required Base Flood Elevation (BFE); development of the property will have to be elevated, to the BFE plus three feet of freeboard and 18-inches above the highest adjacent natural grade within the X (Shaded) zone.

E. Transportation Impacts

- The proposed development is located in the northern portion of the Roland Park neighborhood, and all traffic to the site will have direct ingress/egress to Tidewater Drive without having to traverse through the single-family portions of the neighborhood.
- Institute of Transportation Engineers (ITE) figures estimate that proposed development of 128 apartment units on this site will generate 462 new vehicle trips per day.
- Based upon ITE data, the prior industrial use on this site would be expected to generate 389 weekday trips while the proposed new residential development would be expected to generate 851 trips on weekdays.
- ITE data also estimates the PM peak hour generation of the proposed use at 93 trips (60 cars entering and 33 exiting) which averages to less than two vehicles a minute being added to the adjacent highway network at the busiest travel times.
- Tidewater Drive north of Norview Avenue is not identified as a severely congested corridor in either the AM or PM peaks in the most recent update to regional Hampton Roads Congestion Management analysis.
- The site is near frequent transit service with Hampton Roads Transit bus routes 8 (Tidewater Drive) and 9 (Sewells Point) operating near the site.

F. Impact on the Environment

- The development will set aside approximately 35% of the site as usable open space, which includes such features as the swimming pool, playground and nature trail located along a tidal creek to the west of the property.
- The development of the site, including the walking trail, will have to comply with all laws and regulations governing the Chesapeake Bay Preservation Area (CBPA) and any affected portions of the site which may be within the CBPA buffers.
- The existing dumpster enclosure will be screened and landscaping installed along the base near the proposed sidewalk's edge.
- As a new development, it will have to complete the Site Plan Review Process with all the standards set forth in the *Zoning Ordinance of the City of Norfolk, 1992*.
 - Through the City's Site Plan Review, process all applicable erosion and sediment control, floodplain, buffering, screening and any other environmental requirements, including all stormwater management provisions, will be addressed prior to issuance of building permits.
 - A landscape plan will be required through the City's Site Plan Review process, which must be approved through the City's Department of Recreation, Parks and Open Space.
 - A lighting plan will be required through Site Plan Review, which must be approved by the Norfolk Police Department to ensure adequate CPTED (Crime Prevention Through Environmental Design) measures are met.
 - The lighting plan will include required light shielding devices to restrict spillage of light onto any adjacent residential not associated with the proposed development.

G. Impact on Surrounding Area/Site

- In order to discourage pedestrians from crossing the active railroad tracks to the east, the applicant is proposing to construct a fence to be located along the portions of the site that directly abut the Norfolk Southern railway.
- The proposed fence will continue south off-site along the Tidewater Drive feeder road towards the railway underpass, in order to lead pedestrians to a safe and appropriate connection with Tidewater Drive.

H. Payment of Taxes

The owner of the property is current on all real estate taxes.

I. Civic League

- Notice was sent to the Roland Park and Greenhill Farms Civic Leagues on August 12.
- The applicant appeared before the Roland Park Civic League on September 29th and October 20th to present the proposal to the community.
- Two letters of opposition were received from the Roland Park Civic League following each respective meeting with the applicant.
- The applicant has submitted a list of community concerns that have been addressed by the applicant within the submitted site plan and zoning text language:
 - Agreed to build off-site sidewalks from the site to connect with the existing sidewalks on the ramps to Tidewater Drive, to allow access to sidewalks heading both north and south on Tidewater Drive.
 - Agreed to build an off-site sidewalk to Muskogee Avenue, to connect the site with the existing Roland Park neighborhood.
 - Agreed to build a six-foot metal fence along the property line adjacent to the railroad tracks as well as to extend the fence to the elevated portion of the Northbound Tidewater Drive on-ramp, in order to address safety concerns with pedestrians crossing the tracks.
 - Agreed to place a sign at the entry gate to the site, directing pedestrians to safe routes to access transportation and retail along Tidewater Drive.
 - Agreed to repave the road from the site to the North and Southbound Tidewater Drive on-ramps.
 - Agreed to leave the existing trees on the site along the edge of Wayne Creek, to provide a significant visual buffer for the Roland Park community.
 - Agreed to provide ten visitor parking spaces outside of the entry gate, for overflow guest parking that may not have the entry keycode upon arrival.
 - Agreed to heavily landscape the perimeter of the site with *Chryptomeria* to screen the Roland Park community from any negative visual or noise related impacts.

J. Communication Outreach/Notification

- Legal notice was posted on the property on August 18.
- Letters were mailed to all property owners within 300 feet of the property on September 10.
- Legal notification was placed in *The Virginian-Pilot* on September 10 and September 17.

K. Recommendation

- a. ***plaNorfolk2030 Map Amendment*** – Staff recommends **denial**, given the site does not meet all of the minimum requirements of *plaNorfolk2030* for new multi-family development, particularly in regards to the pedestrian access needs often associated with a population that may already have limited transportation options.
- b. ***Zoning Text Amendment*** – Staff recommends **denial**, given the development as proposed does not accomplish the purpose statement for Planned Developments identified within the *Zoning Ordinance*.
- c. ***Change of Zoning*** – Staff recommends **denial**, given the Planned Development as proposed presents a traditional suburban apartment complex layout, without direct pedestrian access between the site and Tidewater Drive; presenting a possible danger for pedestrians needing to have safe and direct access to public transportation and daily shopping needs.

Attachments

Proposed text
Location map
Zoning map
plaNorfolk2030 Future Land Use map
Applications
Site Plan
Elevations
Notice to the civic leagues
Letters of opposition from Roland Park Civic League
Letter of commitments to Roland Park from developer
Letters of opposition

Proponents and Opponents

Proponents

Steve Cooper – Applicant
300 32nd Street, Suite 310
Virginia Beach, VA 23451

Taylor Franklin
7308 Shirland Avenue – Applicant
Norfolk, VA 23505

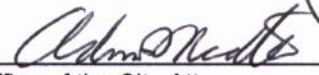
R.J. Nutter – Representative, legal counsel
222 Central Park Avenue
Virginia Beach, VA 23462


Peter Segaloff – Tidewater Drive Storage Center
6555 Tidewater Drive, Suite 400
Norfolk, VA 23509

Opponents

Carol Riggs – Roland Park Civic League president
6311 Sangamon Avenue
Norfolk, VA 23509

Form and Correctness Approved

By 
Office of the City Attorney

Contents Approved: 

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND THE CITY'S GENERAL PLAN, PLANORFOLK2030, SO AS TO CHANGE THE LAND USE DESIGNATION FROM INDUSTRIAL TO MULTIFAMILY FOR PROPERTY LOCATED AT 6435 TIDEWATER DRIVE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the land use designation set forth in the City's general plan, planNorfolk2030, for the property located at 6435 Tidewater Drive is hereby changed from Industrial to Multifamily. The property which is the subject of this change in land use designation is more fully described as follows:

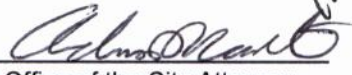
Property located at the southwest intersection of Tidewater Drive and the Norfolk Southern railway fronting 65 feet, more or less, along the western line of Tidewater Drive beginning 258 feet, more or less, north of the intersection of Tidewater Drive and Muskogee Avenue and extending northwardly; property also fronts 680 feet, more or less, along the western line of the Norfolk Southern railway; premises numbered 6435 Tidewater Drive.

Section 2:- The Council hereby finds that this general plan amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 3:- That this ordinance shall be in effect from the date of its adoption.

Form and Correctness Approved: 

Contents Approved: 

By 
Office of the City Attorney

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NORFOLK, 1992, SO AS TO CREATE THE TIDEWATER DRIVE RESIDENTIAL PLANNED DEVELOPMENT (PD-R TIDEWATER DRIVE) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That Chapter 27 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) is hereby amended and reordained by adding thereto a new enumerated section, including subsections, entitled "Tidewater Drive Residential Planned Development (PD-R Tidewater Drive)" and containing text and a table as set forth in "Exhibit A," attached hereto.

Section 2:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 3:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:
Exhibit A (3 pages)

EXHIBIT A

27-40 Tidewater Drive Residential Planned Development (PD-R Tidewater Drive).

- 27-40.1 *Purpose Statement.* The Tidewater Drive development is intended to permit the construction of a maximum of 128 multi-family dwelling.
- 27-40.2 *Permitted uses.* Land uses permitted in the district shall be permitted by right as specified in Table 27-40-A, "Table of Land Uses," and shall be restricted to the uses listed therein.
- 27-40.3 *Maximum density.* Not more than 128 multifamily dwelling units shall be constructed within the district.
- 27-40.4 *Maximum building height.* The maximum building height for all buildings shall be 60 feet.
- 27-40.5 *Parking requirements.* At least 1.7 off-street parking spaces shall be provided for each dwelling unit.
- 27-40.6 *Usable open space.* Not less than 35% of the area within the district shall be usable open space. All patios, pools, gazebos, walking trails and similar improvements intended for the enjoyment and use of all residents may be included as useable open space.
- 27-40.7 *Location and massing of buildings.* The general site layout of the buildings shall be substantially consistent with the conceptual site plan titled "Tidewater Drive Apartments," dated August 4, 2015, prepared by Cox, Kliewer & Company, P.C., and placed on file with the Department of Planning, subject to any revisions or modifications required by the city during the City's Site Plan Review or building permit plan review processes ("the Development Plan").
- 27-40.8 *Design review.* All buildings constructed in the district must be reviewed and approved in accordance with the city's Design Review process prior to the issuance of any building permit.
- 27-40.9 *Recreational amenities required.* The recreational amenities of this community shall include:
 - (a) An indoor fitness center and clubroom with a minimum of 2,000 square feet of interior area.
 - (b) A swimming pool with associated patios, cooking facilities, and roofed structures to provide shade.

- (c) A playground and pedestrian walking trail located adjacent to the wetland area both of which are shown on the Development Plan identified above.

27-40.10 *Signs.* Signs in this district shall comply with the regulations set forth in Chapter 16 of this ordinance and this district shall be treated as a residential district for application of the sign regulations.

27-40.11 *Landscaping and buffer yard requirements.* All landscaping and buffer yards shall comply with the regulations set forth in Chapter 17 of this ordinance.

27-40.12 *Pedestrian connectivity.*

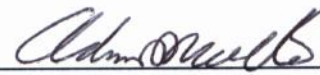
- (a) *Sidewalks.* In accordance with the design and standards required by the City's Department of Public Works, the developer shall provide a sidewalk along the west side of the Tidewater Drive access lane, extending southwardly from the site to the northern line of Muskogee Avenue, and continuing southwardly from the south side of Muskogee Avenue, connecting to both of the existing sidewalks located along both the eastern and western sides of the southbound Tidewater Drive off-ramp and the Kenosha Avenue/Tidewater Drive southbound merge lane.
- (b) *Fence.* The developer shall provide a continuous, metal fence six (6) feet in height located along the entire eastern boundary of the district. The fence shall also extend southwardly, beyond the district boundary, along the eastern line of the Tidewater Drive access lane, adjacent to the western line of the Norfolk Southern railway, and reaching to the entrance of the northbound Tidewater Drive on-ramp. This required fence shall be constructed in accordance with the design and standards required by the City's Department of Public Works the City's and the Site Plan Review process.

27-40.13 *Approval of full Development Plan.* No building permit for any building or development in the district shall be permitted until all buildings, improvements, and amenities shown on the Development Plan identified above, including the pedestrian connectivity improvements described above, have received site plan approval in accordance with the requirements of Chapter 26 of this ordinance.

PD-R TIDEWATER DRIVE
TABLE 27-40-A – TABLE OF LAND USES

LAND USES P = Permitted Use S = Special Exception Use	DISTRICT	COMMENTS
	PD-R TIDEWATER DRIVE	
<i>RESIDENTIAL USES</i>		
Multi-Family (3–6 units)	P	
Multi-Family (7 or more units)	P	Maximum of 128 units
<i>PUBLIC AND CIVIC USES (Sites < 1 Acre)</i>		
Governmental Operations (non-industrial)	P	
Recreation Center, Community (private)	P	
Park	P	
Utility Facility	P	

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved: 

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 6435
TIDEWATER DRIVE FROM I-1 (LIMITED INDUSTRIAL) DISTRICT
TO PD-R TIDEWATER DRIVE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the property located at 6435 Tidewater Drive is hereby rezoned from I-1 (Limited Industrial) District to PD-R Tidewater Drive (Tidewater Drive Residential Planned Development) District. The property which is the subject of this rezoning is more fully described as follows:

Property located at the southwest intersection of Tidewater Drive and the Norfolk Southern railway fronting 65 feet, more or less, along the western line of Tidewater Drive beginning 258 feet, more or less, north of the intersection of Tidewater Drive and Muskogee Avenue and extending northwardly; property also fronts 680 feet, more or less, along the western line of the Norfolk Southern railway; premises numbered 6435 Tidewater Drive:

Section 3:- That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

Section 4:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 5:- That this ordinance shall be in effect from the date of its adoption.

Location Map

THE FRANKLIN JOHNSTON GROUP

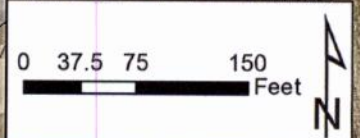


MISCELLANEOUS STREET

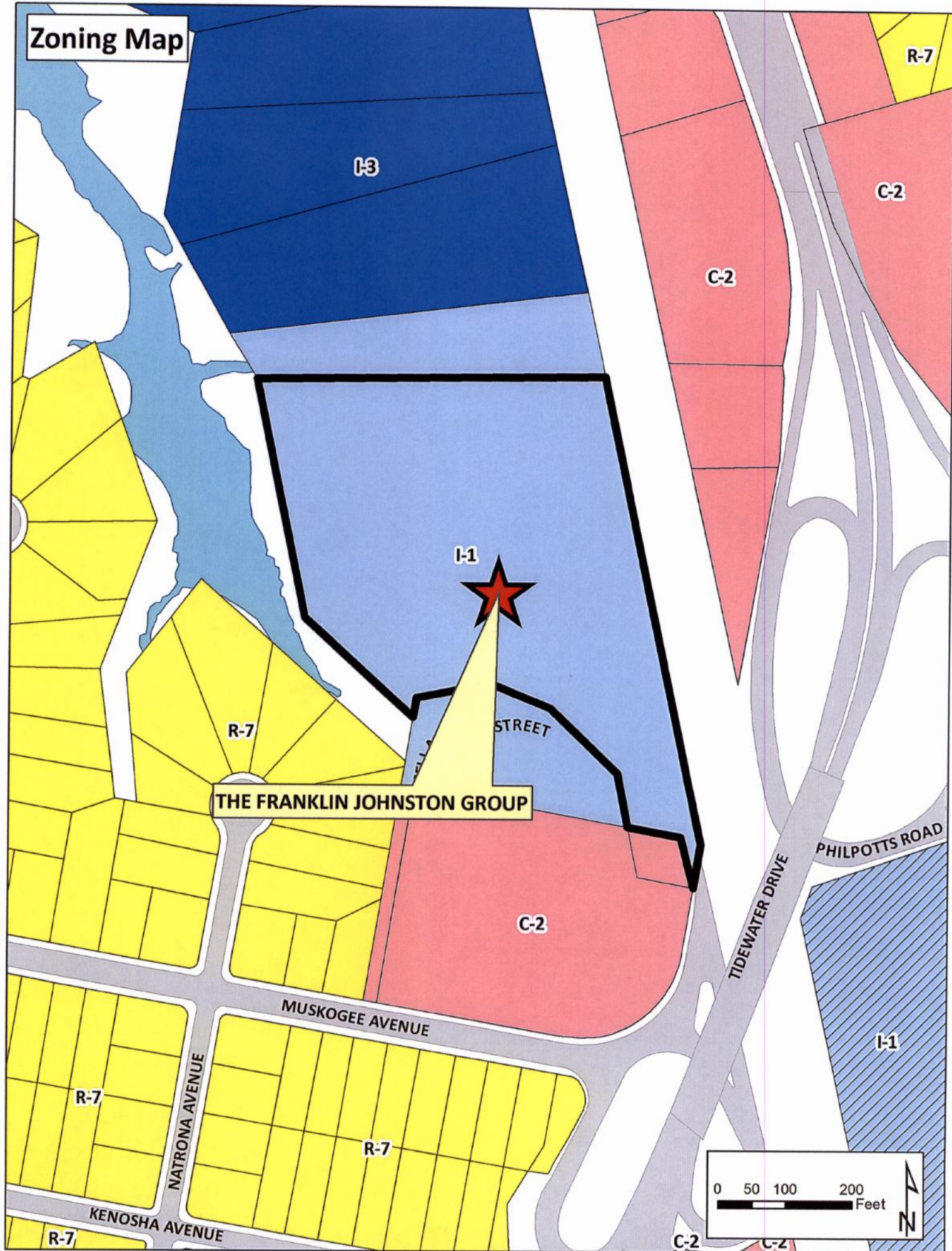
TIDEWATER DRIVE

NATRONA AVENUE

MUSKOGEE AVENUE



Zoning Map



Future Land Use Map

THE FRANKLIN JOHNSON GROUP



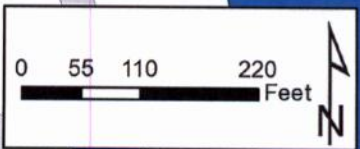
MISCELLANEOUS STREET

MUSKOGEE AVENUE

TIDEWATER DRIVE

PHILPOTTS ROAD

Commercial	Multifamily	Single Family Suburban
Downtown	Multifamily Corridor	Single Family Traditional
Industrial	Office	Single Family Urban
Institutional	Open Space/Recreation	Utility/Transportation
Military	Residential Mixed	





REQUEST FOR TEXT AMENDMENT

Date of request: August 7, 2015

DESCRIPTION OF REQUESTED AMENDMENT

Purpose of Amendment:

See attached amendment language

Ordinance Section(s) to be amended (if known)
Ordinance Section(s) to be added (if known)

REQUESTOR INFORMATION

Name of requestor (Last) Cooper (First) Stephen (MI) W

Mailing address (Street/P.O. Box) 300 32nd Street, Suite 310

(City) Virginia Beach (State) Va. (Zip Code) 23451

Daytime telephone number (757) 793-4393 Fax number (757) 793-4409

E-mail address scooper@tfjgroup.com

Print name: Stephen W. Cooper Sign: [Signature] 8/6/15
(Applicant or Authorized Agent Signature) (Date)

R. J. Nutter (AGENT) [Signature] 8/23/15

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)



APPLICATION CHANGE OF ZONING

Date of application: August 7, 2015

Change of Zoning

From: I-1 Zoning To: PD-R Zoning

DESCRIPTION OF PROPERTY

Property location: (Street Number) 6435 (Street Name) Tidewater Drive

Existing Use of Property: Vacant commercial building and parking lot

Current Building Square Footage 55,870

Proposed Use Minimum of 128 residential apartment units

Proposed Building Square Footage 172,350

Trade Name of Business (If applicable) The Franklin Johnston Group

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Cooper (First) Stephen (MI) W

Mailing address of applicant (Street/P.O. Box): 300 32nd Street, Suite 310

(City) Virginia Beach (State) Va. (Zip Code) 23451

Daytime telephone number of applicant (757) 493-4393 Fax (757) 493-4409

E-mail address of applicant: scooper@tfjgroup.com

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

Application
Rezoning
Page 2

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant () Fax ()

E-mail address of applicant:

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) (First) (MI)

Mailing address of property owner (Street/P.O. box):

(City) (State) (Zip Code)

Daytime telephone number of owner () email:

CIVIC LEAGUE INFORMATION

Civic League contact:

Date(s) contacted:

Ward/Super Ward information:

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Tidelands Prime Properties, L.L.P. Sign: [Signature] 3/1/15
(Property Owner or Authorized Agent of Signature) (Date)

Print name: William E. King Managing Gen. Ptn. Sign: [Signature] 1/8/15
(Applicant) (Date)
STEPHEN W. COOPER

ONLY NEEDED IF APPLICABLE:

Print name: R.J. NUTTER Sign: [Signature] 07/23/15
(Authorized Agent Signature) (Date)

LEGAL DESCRIPTION

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, SITUATE IN THE CITY OF NORFOLK, VIRGINIA, BEING SHOWN ON PLAT FOR PRINCIPAL STORAGE AND VAN CORP., DATED AUGUST, 1962, MADE BY FRANK B. TARNALL, JR. AND ASSOCIATES, ATTACHED TO DEED DATED JULY 22, 1962, FROM POLAND PARK HOMES, A PARTNERSHIP, TO PRINCIPAL STORAGE AND VAN CORPORATION, AND RECORDED WITH SAID DEED, AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERN SIDE OF COTTAGE TOLL ROAD DISTANCE NORTH 8° 50' EAST 827.31 FEET FROM THE NORTHERN SIDE OF MONROE AVENUE (FORMERLY 80 FEET WIDE, BUT NOW 60 FEET WIDE BY TAKING 10 FEET FROM THE PROPERTY ON THE NORTHERN SIDE OF SAID ROAD) THENCE NORTH 7° 40' WEST 80 FEET; THENCE NORTH 8° 45' WEST 75.67 FEET; THENCE NORTH 44° 04' 43" WEST 124.71 FEET; THENCE NORTH 63° 40' 40" WEST 104.34 FEET; THENCE NORTH 84° 34' 37" WEST 80 FEET; THENCE SOUTH 8° 45' WEST 342 FEET; THENCE SOUTH 84° 30' 40" EAST 827.31 FEET TO A POINT ON THE WESTERN SIDE OF THE VIRGINIA RAILWAY; THENCE ALONG THE WESTERN SIDE OF SAID RAILWAY THENCE SOUTH 8° 45' EAST 880 FEET TO A POINT ON THE WESTERN SIDE OF COTTAGE TOLL ROAD THENCE SOUTH 8° 50' WEST 88.8 FEET TO THE POINT OF BEGINNING.

IT BEING THE SAME PROPERTY CONVEYED TO TIDEWATER DRIVE PROPERTIES, A VIRGINIA GENERAL PARTNERSHIP BY DEED FROM THE HENRY BLUM COMPANY, A MARYLAND CORPORATION, DATED JANUARY 8, 1980 AND RECORDED JANUARY 8, 1980 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF NORFOLK, VIRGINIA IN DEED BOOK 852 AT PAGE 854.

TITLE REPORT

BRIDGETRUST TITLE GROUP
COMMUNITY REL. DIVISION
COMMITMENT DATED: JUNE 25, 2008 AT 8:00 A.M.

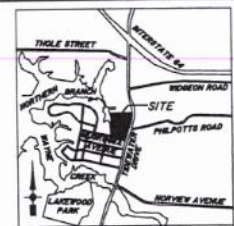
EXCEPTIONS

1. TOWN, PROVISIONS, RESTRICTIONS, CONDITIONS, EASEMENTS, LIENS, AGREEMENTS, DEVELOPER RIGHTS, OPTIONS, RIGHTS OF FIRST REFUSAL AND REMEDY RIGHTS CONTAINED IN INSTRUMENTS RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF NORFOLK, VA IN DEED BOOK 827 AT PAGE 255, BUT OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, MARRIAGE, FAMILIAL STATUS, OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT SAID COVENANT (A) IS EXEMPT UNDER CHAPTER 40, SECTION 3607 OF THE UNITED STATES CODE, OR (B) RELATED TO HANDICAP BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS. (ADMINISTRATIVE - NOT PLOTTED)
2. EASEMENT TO VIRGINIA ELECTRIC AND POWER COMPANY AS RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF NORFOLK, VIRGINIA IN DEED BOOK 794, AT PAGE 52. (PLOTTED - SURVEYOR ONLY FOUND EVIDENCE OF A PORTION OF THE POLE LINE EASEMENT)
3. EASEMENT TO VIRGINIA ELECTRIC AND POWER COMPANY AS RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF NORFOLK, VIRGINIA IN DEED BOOK 794, AT PAGE 478. (NO EVIDENCE OF POLE LINE EASEMENT - NOT PLOTTED)
4. EASEMENT TO RADIO EQUIPMENT COMPANY, INCORPORATED FOR 30' STRIP AS SHOWN ON PLAT RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF NORFOLK, VIRGINIA IN MAP BOOK 17, AT PAGE 5 FOR BUSINESS AND EGRESS RECORDED IN DEED BOOK 794, AT PAGE 508. (PLOTTED)
5. EASEMENT TO VIRGINIA ELECTRIC AND POWER COMPANY AS RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF NORFOLK, VIRGINIA IN DEED BOOK 776, AT PAGE 348. (PLOTTED)
6. AGREEMENT WITH CITY OF NORFOLK RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF NORFOLK, VIRGINIA IN DEED BOOK 794, AT PAGE 804. (PLOTTED)
7. AGREEMENT WITH VIRGINIA ELECTRIC AND POWER COMPANY AS RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF NORFOLK, VIRGINIA IN DEED BOOK 894, AT PAGE 40. (PLOTTED)
8. RIGHTS OF THE UNITED STATES OF AMERICA AND THE COMMONWEALTH OF VIRGINIA TO REGULATE THAT PORTION OF THE PROPERTY WHICH MAY BE DEEMED WETLANDS (ADMINISTRATIVE - NOT PLOTTED)
9. INDIAN RIGHTS OF OTHERS INCIDENT TO THE FOREGOING. TITLE TO THAT PORTION OF THE PROPERTY LOCATED BELOW THE MEAN HIGH WATER MARK. (ADMINISTRATIVE - NOT PLOTTED)
10. RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES. (ADMINISTRATIVE - NOT PLOTTED)
11. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. THE COVERAGE AFFORDED BY COVERED MATTER IS OF THE FINAL TITLE POLICY IS HEREBY DELETED. (PLOTTED)

NOTES

1. THE PROPERTY ADDRESS IS 6435 TIDEWATER DRIVE, NORFOLK, VA.
2. THE PROPERTY IS ZONED T-4.
3. NUMBER OF PARKING SPACES ON THE PROPERTY - XXXX
XXX CONVENTIONAL SPACES
XXX HANDICAPPED SPACES
4. THE PROPERTY ADDRESS APPEARS TO FALL IN FLOOD ZONE "X", AREA OUTSIDE 500 YEAR FLOODPLAIN AS SCALED FROM MAP NUMBER XXXXX XXXX.
5. THE PROPERTY APPEARS TO HAVE NO EVIDENCE OF EARTH MOVING BUNK.
6. THE PROPERTY APPEARS TO HAVE NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES.
7. THE PROPERTY APPEARS TO HAVE NO EVIDENCE OF SOLID WASTE DUMPING.
8. THE PROPERTY APPEARS TO HAVE NO EVIDENCE OF WETLAND AREAS.

NORTHERN BRANCH OF LAFAYETTE RIVER



LEGEND

- SH SPRINKLER HEAD
- LP LIGHT POLE
- TP TELEPHONE PEDESTAL
- PP POWER POLE / GUY WIRE / NUMBER
- MB MAIL BOX
- BOL BOLLARD
- GP GATE POST
- WLN WATER LINE MONITOR
- CONCRETE
- HYD FINE HYDRANT
- WV WATER VALVE
- WM WATER METER
- SM SANITARY MANHOLE
- SD SANITARY CLEANOUT
- EM ELECTRICAL MANHOLE
- SM STORM MANHOLE
- TM AT&T TELEPHONE MANHOLE
- CM C&P TELEPHONE MANHOLE
- DI DROP INLET
- CB CATCH BASIN
- CB/M STORM CATCH BASIN / MAN HOLE
- GM GAS METER
- WLV WATER LINE VALVE
- RC REINFORCED CONCRETE PIPE
- FES FLARED END SECTION PIPE
- OW OVERHEAD ELECTRIC WIRE
- EB ELECTRIC JUNCTION BOX
- RG RAIL ROAD CROSSING GATE
- KT VIRGINIA POWER TRANSMISSION TOWER
- KT VIRGINIA POWER TRANSFORMER
- ORP ORANGE PAINT (UNDERGROUND TELEPHONE)
- BP BLUE PAINT (WATER LINE)
- RP RED PAINT (UNDERGROUND ELECTRIC)
- YP YELLOW PAINT (UNDERGROUND GAS)
- NO INDICATES NUMBER OF 8' x 16' PARKING SPACES
- NO INDICATES NUMBER OF 8' x 16' HANDICAP PARKING SPACES

ALTA/ACSM LAND TITLE SURVEY
OF
6435 TIDEWATER DRIVE
NORFOLK, VA.
FOR
BRIDGETRUST TITLE GROUP
FRANKLIN JOHNSTON GROUP MANAGEMENT
& DEVELOPMENT, LLC
AND
TIDEWATER DRIVE PROPERTIES,
A VIRGINIA GENERAL PARTNERSHIP

SURVEY CERTIFICATION

TO: BRIDGETRUST TITLE GROUP
FRANKLIN JOHNSTON GROUP MANAGEMENT & DEVELOPMENT, LLC
TIDEWATER DRIVE PROPERTIES, A VIRGINIA GENERAL PARTNERSHIP

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 200 VIRGINIA STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACMA, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

DATE: 06/27/08
BY: TERRY M. FALLOW, VA. L.S. NO. 2888
DATE: 06/27/08

GRAPHIC SCALE
0' 30' 60' 90'
SCALE: 1"=30'



HASSELL & FOLKE, P.C.
ENGINEERING-SURVEYING-PLANNING
200 TIDEWATER DRIVE
NORFOLK, VIRGINIA 23502
COUNTY: NORFOLK
DATE: 06/27/08
BY: TERRY M. FALLOW
DATE: 06/27/08

SITE STATISTICS

USEABLE SITE: 213,444 S.F. 4.9 ACRES
(This number represents area bounded by property lines,
and 50' setback from top of bank.)

3 BEDROOM UNITS 24

BICYCLE PARKING (Suburban)
128/6 = 22, 75% LONG TERM = 17



ARCHITECTURE
1984 25 YEARS 2009
2383 VIRGINIA BEACH BOULEVARD
VIRGINIA BEACH, VIRGINIA • 23462 • 205
VARY 770-411-0970 • Fax: 770-411-0980
www.sallier.com • info@sallier.com

TIDEWATER DRIVE
NORFOLK, VIRGINIA

October 1st, 2015



FOUR STORY BUILDING - FRONT ELEVATION

TIDEWATER DRIVE APARTMENTS

THE FRANKLIN JOHNSTON GROUP

TIDEWATER DRIVE
NORFOLK, VIRGINIA
September 17th, 2015



CLUBHOUSE – FRONT ELEVATION

Cox, Kiewit &
Company, P.C.

25 YEARS
1984-2009
2233 TIDEWATER DRIVE, SUITE 200
NORFOLK, VIRGINIA 23513
www.coxkiewit.com

TIDEWATER DRIVE APARTMENTS

THE FRANKLIN JOHNSTON GROUP

TIDEWATER DRIVE
NORFOLK, VIRGINIA

September 17th, 2015

Simons, Matthew

From: Straley, Matthew
Sent: Wednesday, August 12, 2015 2:14 PM
To: 'fraleyearl@aol.com'; 'carolgrayriggs@aol.com'
Cc: Whibley, Terry; Winn, Barclay; Herbst, James; Simons, Matthew
Subject: new Planning Commission applications - 6435 Tidewater Drive
Attachments: FranklinJohnston_rezoning.pdf; FranklinJohnston_text amendment.pdf

Mr. Fraley and Ms. Gray Riggs,

Attached please find the following applications for the following applications at 6435 Tidewater Drive:

- a. Text amendment to the City's Zoning Ordinance to create PD-R Tidewater Drive (Tidewater Drive Residential Planned Development) district.
- b. Change of zoning from I-1 (Limited Industrial) district to PD-R Tidewater Drive.

The purpose of these requests is to allow for the construction of a minimum of 128 multi-family dwelling units.

The item is tentatively scheduled for the September 24, 2015 Planning Commission public hearing.

Should you have any questions, please e-mail or call *Matt Simons* at (757) 664-4750, matthew.simons@norfolk.gov

Thank you.

Matthew Straley

GIS Technician II

Norfolk Department of City Planning

810 Union Street, Suite 508 | Norfolk, Virginia 23510

Matthew.Straley@norfolk.gov | Tel: 757-664-4769 | Fax: 757-441-1569



September 15, 2015

Norfolk City Planning Commission

Norfolk, VA

Dear Planning Commission:

The Roland Park Civic League requests a continuance of the Franklin Johnston's request for rezoning from Industrial to Multi-Family for the Tidewater Drive Residential Planned Development. We have concerns about a zoning change that is inconsistent with the City of Norfolk's vision for the land use as communicated in *plaNorfolk 2030*. With a vote of 27 to 0 on September 15, 2015, civic league members request the continuance for the following reasons:

1. The RPCL president, Carol Riggs, requested that Franklin-Johnston continue the rezoning until October in order to give us time to sit down with them to make requests. They did not agree to continue the item until October. Therefore, we are making the request for the continuance in hopes that they will sit down with RPCL and make changes to the site plan as detailed in 2-9 below. The Application for rezoning was placed by Franklin-Johnson on August 6, 2015.
2. We would like to discuss enhancements to the plan which will allow resident pedestrians to have greater access to Tidewater Drive and to any other place outside the development. The road leading from the proposed development to the access ramps have no sidewalks, forcing pedestrians into private property on the west side or onto Norfolk Southern Railroad's property on the east side. Also, the ramps leading to both south and north Tidewater Drive do not have sidewalks that fully cover the road. As it is now, many pedestrians illegally cross the railroad tracks directly next to the proposed project in order to avoid the substandard pedestrian facilities on the ramps and bridge. The evidence of this "safer" pedestrian walkway is found in the well-worn paths across the railroad tracks. In addition, sidewalks are an important feature in Roland Park's Traditional character district.
3. The proposed site plan shows no parking for guests. It shows resident parking for the project inside the gates only. This allows for no guest parking. At least one of the Franklin Johnston Group's projects (River House) has guest parking outside the gate, so we would expect the same accommodations on this site. We have concerns that without accessible guest parking, there will be overflow on adjacent private property lots and streets.
4. The current drawings show the visuals and parking calculations for 128 units. Since the revised plan now calls for 150 units, we would like to see updated visuals and parking calculations for 150 units on the "Project Data" document.



5. The Franklin-Johnson group has told RPCL verbally that the mature trees will remain on-site. We would like to see in writing on the site plan the specific number of mature trees that will remain.
6. We would like more information about the materials used for construction. In Roland Park, over 50% of the homes have brick facades. We would like more detail about how much brick will be used on the buildings so that the buildings best fit with the neighborhood.
7. We would like to discuss enhancements to the plan that include improvement to the access road (Tidewater Drive below the bridge) leading to the proposed apartments. As it is now, the road is in poor repair.
8. RPCL would like information from the city staff about the methods and data used to determine that there would not be an undue traffic burden to Roland Park residents who use the Tidewater Drive ramp. There has been lots of new development on Tidewater Drive from Norview Avenue to Little Creek Road over the past 5 years, and several new developments happening at Southern Shopping Center in the upcoming year (apartments at Norview, apartments behind gun shop, Wal-Mart, Sam's club, new restaurants). In addition, the corridor hosts a heavy burden of Norfolk's cross-town tractor-trailer traffic. Most roads in the city do not allow tractor-trailers and some that do (such as Hampton Boulevard) have time restrictions.
9. The aesthetics of the having residents on a site directly next to railroad tracks and a large Dominion Power facility warrant a closer look at the sustainability of the project.

If we cannot be granted a continuance, RPCL does NOT support the rezoning at this time. With a vote of 27 to 0 on September 15, 2015, civic league members do not support the rezoning because:

1. Without having more detailed information and neighborhood input of items 2-9 above, we feel the site plan is not congruent with our neighborhood's character and needs.
2. City of Norfolk's *plaNorfolk2030* plan (published this year) shows the area zoned Industrial for the projected future, and we feel changing that zoning without the items 2-9 more fully addressed would be premature.
3. *plaNorfolk2030* lists proximity to Multi-family homes as one of the criteria for changing the zoning. There are no multi-family homes in the immediate vicinity.



4. The 4-story structures in the site plan lack consistency with the single-story ranch and 2-story Cape Cod single family homes that make up Roland Park.
5. Based on recent media reports, Norfolk schools and police departments are short staffed. We have concerns about adding more residents to a community that already has strained human resources.

Thank you for your consideration.

The Roland Park Civic League Executive Board

Carol Riggs – President

Irma Edel – 1st Vice President

Dave Johnson – 2nd vice President

Holly Margason – Secretary

Cindy Johnson – Treasure

cc: Norfolk City Council

Paul D. Fraim
Mamie Johnson
Andy A. Protogyrou
Paul R. Riddick
Thomas R. Smigiel
Theresa W. Whibley
Angelia Williams Graves
Barclay C. Winn



October 20, 2015

Norfolk City Planning Commission

Norfolk, VA

Dear Planning Commission:

The Roland Park Civic League does not support Franklin Johnson's request for rezoning from Industrial to Multi-Family for the Tidewater Drive Residential Planned Development. With a vote of 16 to 0 on October 20, 2015, civic league members do not support the rezoning because of the items detailed below.

To follow up on our previous letter dated September 15, Mr. Franklin and two of his staff met with a civic league committee to discuss our concerns and requests. We found the meeting productive and appreciated the changes they were willing to make to the site plan. They agreed to add guest parking outside the gate, and they agreed to add a sidewalk from the complex to the neighborhood. However, many aspects of the site are simply things a developer cannot fix. In particular, see #2-6 below.

1. We have concerns about a zoning change that is inconsistent with the City of Norfolk's vision for the land use as communicated in *plaNorfolk 2030* (published this year).
2. City of Norfolk's *plaNorfolk2030* plan shows the area zoned Industrial for the projected future, and we agree with the plan that light industrial is the best use of the property. The property is locked inside a corner with characteristics that will not change on three sides: railroad tracks, a tidal waterway, and a power sub-station. The aesthetics and isolated quality of the having residents on a site directly next to railroad tracks and a large Dominion Power facility warrant a closer look at the sustainability of the project.
3. *plaNorfolk2030* lists proximity to Multi-family homes as one of the criteria for changing the zoning. There are no multi-family homes in the vicinity. Also, the 4-story structures in the site plan lack consistency with the single-story ranch and 2-story Cape Cod single family homes that make up Roland Park. The structures are not congruent with our neighborhood's Traditional character and needs.
4. Despite the addition of a sidewalk to the site plan, the project still lacks pedestrian connectivity. As it is now, many pedestrians illegally cross the railroad tracks directly next to the proposed project in order to avoid the substandard pedestrian facilities on the ramps and bridge. The evidence of this "safer" pedestrian walkway is found in the well-worn paths across the railroad tracks. Since the site is locked in and isolated to the north of the only safe exit point, the natural course for pedestrians is to indeed cross the tracks if they want to travel north.

Also, even if one does take a walk south to gain access to north-bound sidewalks, the ramp leading to the southwest and northwest portions of Tidewater Drive has no sidewalks. This ramp has a blind turn for drivers, which currently puts pedestrians braving the west side ramp in danger. Also, on the ramp leading to the northeast and southeast portions of Tidewater has sidewalks, but the sidewalks do not fully cover the road. Our residents currently witness walkers and bicyclists navigating this poorly designed infrastructure, and we feel that adding more pedestrian volume to this formula lacks the very vision purported by *plaNorfolk 2030*.



5. Our committee obtained data as requested from city staff about the methods and data used to determine that there would not be an undue traffic burden to Roland Park residents who use the Tidewater Drive ramp. According to the data provided by a 2014 congestion study, the area in question shows that the area is not heavily congested. However, as affirmed by the staff, the study does not take into account traffic generated by Promenade Point, the new development on the corner of Tidewater Drive and Norview Avenue. The study also predates the development of the new senior apartments behind Ron Hess Gun shop. Additionally, there are several new developments springing up at Southern Shopping Center in the upcoming year (Sam's club, new restaurants including IHOP). In addition, the corridor hosts a heavy burden of Norfolk's cross-town tractor-trailer traffic. Most roads in the city do not allow tractor-trailers and some that do (such as Hampton Boulevard) have time restrictions.
6. Based on recent media reports, Norfolk schools and police departments are short staffed. We have concerns about adding more residents to a community that already has strained human resources.
7. We would like more information about how standard and acceptable the materials used for construction are from a professional design perspective. We understand that a city design review process is in place that would be a platform for us to address these concerns.

Thank you for your consideration.

The Roland Park Civic League Executive Board

Carol Riggs – President

Irma Edel – 1st Vice President

Dave Johnson – 2nd vice President

Holly Margason – Secretary

Cindy Johnson – Treasure

cc: Norfolk City Council

Paul D. Fraim

Mamie Johnson

Andy A. Protogyrou

Paul R. Riddick

Thomas R. Smigiel

Theresa W. Whibley

Angelia Williams Graves

Barclay C. Winn

Commitments to Roland Park community as result of our (August, 18 & September, 29) meetings:

1. Agreed to build offsite sidewalks from our site to connect with the existing sidewalks on the on ramps to Tidewater Dr. This would allow access to sidewalks heading both North and South on Tidewater Dr.
2. Agreed at the neighborhoods request to build an offsite sidewalk to Muskogee Ave. To connect our community with the existing Roland Park neighborhood.
3. Agreed to build a 6 ft. fence along our property adjacent to the RR tracks as well as extend it to the elevated portion of the North on-ramp to Tidewater Dr. This would create a physical barrier to current and future pedestrians from crossing the tracks.
4. We agreed to place a sign at our entry gate directing pedestrians to safe routes to access transportation and retail along Tidewater Dr.
5. Agreed to repave the road from our site to the North and South on-ramps to Tidewater Drive.
6. Agreed to leave the existing trees on Wayne Creek to provide a significant visual barrier for the Roland Park community. Given the height of the existing trees and our buildings the development you will not be visible from the adjacent residential homes.
7. Agreed to provide 10 visitor parking spaces outside of our gated community. The visitor parking spaces are reflected on the site plan before you.
8. We will heavily landscape the perimeter of our site with Chryptomeria to screen our residents from any negative visual or noise related impacts. (See attached picture of Chryptomeria at South Wind Apartments behind Southern Shopping Center).

Simons, Matthew

From: Chris Wood <chrisw@jdwinc.com>
Sent: Friday, September 18, 2015 12:55 PM
To: Simons, Matthew
Cc: Homewood, George
Subject: 6435 Tidewater Dr

Hello,

I am an adjoining property owner to the proposed development. I am unable to attend the 2:30 Planning Meeting.

I am opposed to the rezoning. I think there have been too many apartments being built. I believe that the apartment craze is the latest bubble, and I believe our region will suffer for it. As you know, there are many apartment re-development opportunities in Norfolk that are better suited for apartment use.

I also believe that this level of density is inappropriate for a neighborhood setting. I would rather see it redeveloped as single family housing, which is in keeping with the neighborhood. This request is also not in accordance with the Norfolk 2030 Comprehensive Plan.

If the rezoning is approved, I would request that a minimum of a 30' buffer, a wood fence, and heavy landscaping be installed on the perimeter. I would also request that building height be limited to 35'. This is the same height limit in the adjoining neighborhood. This is a large site, with another parcel available next door. There is no reason that the height cannot be limited, except to save costs.

Thank you for your consideration and please contact me for any additional information.

Chris Wood
757-675-0779

October 21, 2015

Dear Planning Commission Chair Fraley, Vice Chair Martin, Dr. Whibley, Mr. Winn:

I will not be able to make it to the October 22 Planning Commission meeting due to my work schedule. I am writing to give my view on the Franklin Johnson Project agenda item.

I fully support the city staff's recommendation as well as the Roland Park Civic League's recommendation that the request for rezoning from industrial to multi-family be **denied**. The lack of pedestrian connectivity is a huge barrier to the sustainability of the proposed project. I have ridden bikes extensively in this city for over 25 years, worked on cycling/ pedestrian advocacy issues for 20 years, and have lived in Roland Park for 15 years. In my view, a project with low income residents, some of whom will be dependent on walking, bikes or wheelchairs for travel, located directly adjacent to an unofficial and illegal railroad track crossing, is setting up residents for some tough travel choices.

From a pedestrian, cyclist, and baby stroller perspective, the pedestrian infrastructure from the Tidewater Drive Bridge to Southern Shopping center is so substandard that even a cycling enthusiast like myself avoids it. There are some portions with no sidewalks, some with partial sidewalks, and 3 crossings in blind corners. I limit my bike travel to points south of the bridge. If I need to travel north, I never, and I mean never take a bike or walk since it means navigating the Tidewater Drive Bridge. However, I am fortunate to have the luxury of choosing other modes of travel since I own a car.

If I did not have a car or were disabled in some way and had to travel north from Roland Park, to, say, the Walmart at Southern Shopping Center or to the Workforce Development at Ward's corner, I would need to make the difficult decision of risking my safety on the ramps and bridge or risking my safety by going over the railroad tracks. The tracks offer the façade of greater safety, so that's what I would choose, even though it's illegal. The man-made trails leading to the tracks, or "goat tracks" as we call them in cycling, are already firmly in place. They are used by many who already frequent them when migrating north on Tidewater Drive from points south of the bridge in hopes of avoiding the substandard bridge facilities. Certainly if I had a child in tow, I would absolutely not use the ramps or the bridge and choose one of the goat tracks.

My point is that I don't want to see a potentially vulnerable population making the same tough choices. The proposed Franklin Johnson project is wedged tightly in an isolated location directly under the bridge. It is also directly next to the goat trails. The easy and presumed safer choice for pedestrians and cyclists from that site is to cross the tracks. The current industrial designation for the site is much more appropriate since employees at industrial worksites are more likely to access the property with automobiles.

I will be glad to host a bike/ walk tour of the area to demonstrate my observations and experience. Please contact me also if you have questions!

Thanks very much.

Sincerely,



Liz Schleeper

757-735-1529 mobile

lizschleeper@yahoo.com

Simons, Matthew

From: Sandy Baker <sandybake1@aol.com>
Sent: Wednesday, October 21, 2015 9:14 PM
To: martinjr@decklaw.com; dan.neumann@yahoo.com; andria.mclellan@gmail.com; nikitahouchins@kw.com; mhales@gatewayventures.net; smithco2012@verizon.net; raustin@odu.edu; Simons, Matthew
Subject: Rezoning Operation Smile parcel

To Whom This May Concern,

We want to go on record, **we DO NOT support the rezoning** of Operation Smile land on Tidewater Dr at Roland Park. We support The Roland Park Civic League decision to object to this apartment project. This is next to a railroad, electric power station and is on wetlands. This is not a space which would be desirable to apartment dwellers and especially dangerous to those with children. The traffic on this portion of Tidewater Dr has become a nightmare since Walmart opened nearby and will only become more so once Sams opens in a couple weeks. We do not need more traffic which the apartments would bring. Please keep this zoned Industrial or business.

Sandra L. Baker
George W. Baker
Ray Lockhart
Donald Baker
421 Warner Cir
Norfolk VA 23509
757-287-7974
SandyBake1@aol.com

From: Gerry Julian@cox.net <gljulian@cox.net>
Sent: Wednesday, October 21, 2015 8:16 PM
To: MartinJr@decklaw.com; dan.neumann@yahoo.com; andria.mcclellan@gmail.com; Nikitahouchins@kw.com; mhailes@gatewayventures.net; smithco2012@verizon.net; Raustin@odu.edu; 'Earl Fraley'
Cc: Simons, Matthew; carolgrayriggs@aol.com; andrewmargason@cox.net
Subject: CITY PLANNING COMMISSION PUBLIC HEARING AGENDA

I am **opposed** to the following agenda item being presented at you meeting of October 22, 2015.

2.THE FRANKLIN JOHNSTON GROUP, for the following applications at 6435 Tidewater Drive:

- a. Amendment to the future land use designation in the general plan, plaNorfolk2030, from Industrial to Multifamily.
- b. Text amendment to the City's Zoning Ordinance to create PD-R Tidewater Drive (Tidewater Drive Residential Planned Development) district.
- c. Change of zoning from I-1 (Limited Industrial) district to PD-R Tidewater Drive.

The purpose of these requests is to allow for the construction of a minimum of 128 multi-family dwelling units.

My opposition to the rezoning is based on my negative experience with the Bonaventure Property of Promenade Pointe Development located at 6115 Tidewater Drive, Norfolk, VA 23509. At the time of this development the Planning Commission did not see the bad effects of rezoning leading to congested traffic on Roland Drive one of the three entrance streets into Roland Park. I can see Muskogee Ave. have a similar problem as the higher density zoning reaches the northern boundaries of Roland Park. Also, the high density zoning has led to violations of city ordinance from the constant animal waste deposited by Promenade Point pets using Roland Park as a dog park. I see only more frustration for the residents of Roland Park as the City rezones the areas around our neighborhood which the zoning ordinances are supposed to protect. I had hope to continue my long term residency in Norfolk into my retirement years, enjoying the fruits of my long term residence, but I feel that we are not being heard in our opposition to this rezoning effects. Please help us preserve our neighborhood and way of life!

If rezoning is passed, I wish you would consider looking at the trucking distribution center located to the north along the railroad for consideration of hazardous materials being shipped from this location. Please check with Norfolk Fire for safety issues associated with this facility when considering this property for rezoning.

Thank you for your consideration of my thoughts on this matter.

Gerald L. Julian Jr.
701 Roland Dr.
Norfolk, VA 23509
757-858-2358
gljulian@cox.net

Simons, Matthew

From: Roni Porfert <roni.porfert@gmail.com>
Sent: Thursday, October 22, 2015 9:12 AM
To: MartinJr@decklaw.com; andria.mcclellan@gmail.com; mhailes@gatewayventures.net; Raustin@odu.edu; smithco2012@verizon.net; Nikitahouchins@kw.com
Cc: Simons, Matthew
Subject: Rezoning of Operation Smile property in Roland Park

Good morning,

I will not be able to be at the planning meeting this afternoon because of my work schedule, but I want to let you know of my **opposition** to apartments going in at the old Operation Smile property along the railroad tracks at the front of Roland Park.

I ran a food pantry and clothes closet at a church in Park Place, and I am committed to affordable housing and equal rights for all Norfolk residents.

This is not a "NIMBY" case. It is a case of overcrowding, little regard for safety, and too much traffic:

- 1.) Trains run up and down those tracks all the time.
- 2.) The apartments would be jammed into a small area, and Norfolk is already awash in apartments.
- 3.) Traffic on Tidewater Drive is already backed up due to NIT trucks not being allowed to traverse Hampton Boulevard and due to drivers seeking an escape from I-64 backups.

I don't have the answer to what should be done with that property. I do know this Franklin Johnston project would be well placed elsewhere.

Norfolk has many single-family-home taxpayers. Please listen to us this time.

Sincerely,
Veronica Porfert

Simons, Matthew

From: Kenneth Williamson <lutefisk185@hotmail.com>
Sent: Thursday, October 22, 2015 10:58 AM
To: Simons, Matthew
Cc: '; dan.neumann@yahoo.com; andria.mcclellan@gmail.com; Nikitahouchins@kw.com; mhailes@gatewayventures.net; smithco2012@verizon.net; Raustin@odu.edu
Subject: Tidewater Drive Residential Planned Developement

Dear Commissioners,

I am a Roland Park resident and have been for 31 years. I support the city staff's recommendation for **denial of the rezoning** of the industrial property on today's agenda. One of the rezoning requirements in pl2030 states that proximity to other multi-family dwellings is a requirement for multi-family. The traditional character of our neighborhood with its single family homes is well established, and the property next to the railroad tracks is best left industrial for future uses. Setting up an establishment in the middle of an industrial park, locked in by a transformer station and railroad tracks does not fit with the vision shown in pl2030.

Regards,

Kenneth E Williamson, Jr
622 Kenosha Ave
Norfolk, VA 23509

Simons, Matthew

From: andrewmargason@cox.net
Sent: Thursday, October 22, 2015 10:04 AM
To: Simons, Matthew
Subject: Fwd: CITY PLANNING COMMISSION PUBLIC HEARING AGENDA

October 22, 2015
Norfolk City Planning Commission
Norfolk, VA

Dear Planning Commission:

We, as long time residents of Roland Park, **do not support** Franklin Johnston's request for rezoning for the old Operation Smile Building, from Industrial to Multi Family for the Tidewater Drive Residential Planned Development.

We feel that although the Franklin Johnston Group is a great company and they build very nice apartment communities, however we just don't feel the location of the old Operation Smile Building is a good location for multi family housing, with a Dominion Power Sub Station on one side, railroad tracks on the other and industrial/commercial business's all around them. Although they have met with us a couple of times and been very gracious with their time and information, we feel there are just some things that are not in their control to remedy.

We have very deep concerns about families being so close to the railroad tracks which would require crossing them to get to bus stops or any other locations, possibly with small children. You can see a well worn path crossing the railroad tracks from many trips back and forth constantly on a daily basis. The sidewalks in this area are substandard, and in some places non-existent for pedestrians to cross on the ramps and the Roland Park overpass bridge. We feel additional pedestrian and vehicular traffic in this area will eventually result in a serious accident or worse without substantial infrastructure to be added by the City.

This property has been deemed Commercial/Industrial by the City of Norfolk until 2030, that in itself should mean something.

Thank you for taking the time to hear our concerns.

Sincerely,

Holly and Andrew Margason
408 Warner Circle

Simons, Matthew

From: Troy Ingram <troyingram86@gmail.com>
Sent: Thursday, October 22, 2015 12:22 PM
To: Simons, Matthew
Subject: Franklin Johnston Rezoning Request

Norfolk City Planning Commission

Norfolk, VA

Dear Planning Commission:

We, as long time residents of Roland Park, **do not support** Franklin Johnston's request for rezoning for the old Operation Smile Building, from Industrial to Multi Family for the Tidewater Drive Residential Planned Development.

We feel that although the Franklin Johnston Group is a great company and they build very nice apartment communities, however we just don't feel the location of the old Operation Smile Building is a good location for multi family housing, with a Dominion Power Sub Station on one side, railroad tracks on the other and industrial/commercial business's all around them.

We have deep concerns about families being so close to the railroad tracks which would require crossing to get to bus stops or any other locations, possibly with small children. You can see a well worn path crossing the railroad tracks from many trips back and forth constantly on a daily basis. The sidewalks in this area are substandard, and in some places non-existent for pedestrians to cross on the ramps and the Roland Park overpass bridge. We feel additional pedestrian and vehicular traffic in this area will eventually result in a serious accident or worse without substantial infrastructure to be added by the City.

This property has been deemed Commercial/Industrial by the City of Norfolk until 2030, that in itself should mean something.

Thank you for taking the time to hear our concerns.

Sincerely,

Troy and Lindsay Ingram

eggleston

Corporate & Administrative Offices: 1161 Ingleside Road, Norfolk, Virginia 23320 • Phone: (757) 858-8011 • Fax: (757) 627-4760

November 24, 2015

Stephen W. Cooper
Senior Vice President, Development
Franklin Johnston Group
300 32nd Street, Suite 310
Virginia Beach, VA 23451

Dear Stephen:

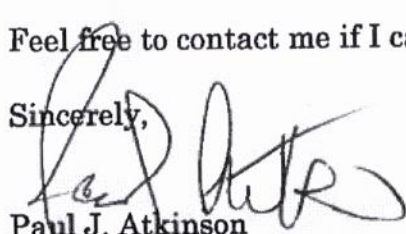
Thank you for taking your time to explain the plans to develop the Tidewater Drive property to Brian Dundon, one of Eggleston's Board members, and me. As we discussed, Eggleston is the adjacent property owner and has occupied the property for nearly 20 years providing programs and services for adults with significant disabilities.

The Executive Committee of Eggleston's Board of Directors met on Monday, November 23rd to discuss the proposal and to consider the long term use of the property we own. The outcome of that meeting was that there is support for your proposal, and we are encouraged about the change of use of the parcel proposed by the Franklin Johnston Group.

My understanding is that the proposal should go before the Norfolk City Council in early December. Please keep us informed of your efforts; we are excited about the plan and the opportunity to work together as the project moves forward.

Feel free to contact me if I can provide additional information or clarification.

Sincerely,


Paul J. Atkinson
President/CEO



Our Mission: Creating Education, Training and Employment Opportunities
Eggleston Services is a 501(c)(3) tax exempt not-for-profit organization.
Eggleston Services is an EEO/Affirmative Action employer.



Commission of Accreditation
of Rehabilitation Facilities